

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION

RANDOLPH CLIFTON THOMAS,

Plaintiff,

VS.

STATE OF ALABAMA, ET AL.,

Defendants.

CV-01-S-1736-NE

FILED

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U.S. DISTRICT COURT
N.D. OF ALABAMA

DECEMBER

SEP 2 / 2004

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on August 25, 2004, recommending that the defendants' motions for summary judgment be granted and this cause be dismissed with prejudice. No objections have been filed by any party.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and his recommendation is ACCEPTED. The Court EXPRESSLY FINDS that there are no genuine issues of material fact and that the defendants are entitled to judgment as a matter of law. Accordingly, defendants' motions for summary judgment are due to be GRANTED and this action is due to be DISMISSED WITH PREJUDICE. A Final Judgment will be entered.

DONE this the 27th day of September, 2004.

Lynwood Smith
UNITED STATES DISTRICT JUDGE

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